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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,778	09/17/2003	Takashi Saito	HIT2 880-04	2959

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/663,778

Applicant(s)

SAITO ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☒ Certified copies of the priority documents have been received in Application No. 08/546,912.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 101503.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. Due to the communications filed 9/17/03, the following is a non-final first office action. Due to the pre-amendment filed 11/24/03, claims 1-12 have been cancelled and claims 13-31 were added. Claims 13-31 are pending in this application and have been examined on the merits. Claims 13-31 have been rejected as follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dev et al (US 4,932,026).

As per claims 13, 22, 27, Dev et al discloses:

A plurality of computers...(Abstract, lines 2-3, represented by the loci of control);

A storage means for storing a first business definition including an exit node, said first business definition defining a first route of passing data and being defined in at least a first one of said plurality of computers, and a second business definition including an entrance node, said second business definition defining a second route of passing data and being defined in at least a second one of said plurality of computers, (Fig. 3, [105], [where it is shown that processing descriptors are stored in a data file,

Col. 24, lines 8-12, where the order of loci is defined by the processing descriptor, which represents the definition of the exit and entrance nodes], Col. 24, line 59 and lines 63-66, [where the first business definition is represented by the data descriptor in the first plurality of loci of control, and the second business definition is represented by the means in each locus of the second plurality of loci responsive to the data descriptor], also, Col. 24, lines 52-55 and line 59, Fig. 1, [where the interpreter of the first loci, 109(a) stores the data descriptor information of the package at the first loci for processing purposes], Col. 23, lines 60-64, [where the second business definition is represented by the processing descriptor associated with the data which specifies a second plurality of loci, and the computer is represented by the loci], Col. 23, lines 60-64, and col. 23, line 67-Col. 24, line 2, [where the interpreter of the second loci utilizes the data descriptor information of the package at the second loci for processing purposes). In this case, it is obvious that the descriptors [definitions] are stored at each locus of control since the descriptors must be processed there. Also, the computer is represented by the locus of control, and the business definition is represented by the data descriptor].

An information generation means for generating/generating coalition information/a process of generating coalition information providing correspondence between said exit node of said first business definition, and said entrance node of said second business definition, (Col. 23, line 67-Col. 24, [where the generation of the coalition information occurs by the interpreter means executing a portion of the processing descriptor which is specified for a particular locus]);

A passing control means for/ a process of passing said data from said exit node of said first business definition, to said entrance node of said second business definition, based upon said coalition information, so that said data is passed through a route including said first route and said second route/passing said data from said exit node of said second business definition, (Col. 24, lines 60-66, [represented by means for routing to a second plurality of the first plurality of loci]).

As per claims 14, 15, Dev et al discloses:

Wherein each of said first business definition and said second business definition is stored in the respective storage means of different computers/an allocating means for allocating said first business definition and said second business definition to different computers, (Fig. 1, where each computer is represented by the locus of control and the business definitions are utilized by the interpreter for processing the data by executing a portion of the processing descriptor. In this case, it is obvious that the descriptors [definitions] are stored at each locus of control since the descriptors must be processed there [see Col. 23, line 67-Col. 24, line 2]).

As per claims 16, 21, 23, 26, 28, 31, Dev et al discloses:

A storage means for storing a first business definition/storing a first business definition/a process of storing a first business definition including a call node and a return node, said first business definition defining a first route of passing data and being defined in at least a first one of said plurality of computers, and a second business definition including an entrance node and an exit node, said second business definition defining a second route of passing data and being defined in at least a second one of

Art Unit: 3623

said plurality of computers, (Fig. 3, [105], [where it is shown that processing descriptors are stored in a data file], Col. 24, lines 8-12, [where the order of loci is defined by the processing descriptor, which represents the definition of the call and entrance nodes], Col. 24, line 59 and lines 63-66, [where the first business definition is represented by the data descriptor in the first plurality of loci of control, and the second business definition is represented by the means in each locus of the second plurality of loci responsive to the data descriptor, where the examiner is interpreting that the call node is the node in which data starts out, which corresponds to the return node since the data is being routed back to the same set of loci, also Dev et al discloses that the locus of control can correspond directly to a portion of a physical system in Col. 1, lines 17-19], Col. 24, lines 52-55 and line 59, Fig. 1, [where the interpreter of the first loci, 109(a) stores the data descriptor information of the package at the first loci for processing purposes. In this case, it is obvious that the descriptors [definitions] are stored at each locus of control since the descriptors must be processed there. Also, the computer is represented by the locus of control, and the business definition is represented by the data descriptor], Col. 23, lines 60-64, [represented by the processing descriptor associated with the data which specifies a second plurality of loci, and the computer is represented by the loci, where the examiner is interpreting that the entrance node and the exit node correspond with one another since they are on the same set of loci and therefore represent the same node], Col. 23, lines 60-64, and col. 23, line 67-Col. 24, line 2, where the interpreter of the second loci utilizes the data descriptor information of the package at the second loci for processing purposes. In this case, it is obvious that

the descriptors [definitions] are stored at each locus of control since the descriptors must be processed there. Also, the computer is represented by the locus of control, and the business definition is represented by the data descriptor]);

A coalition information generation means for generating correspondence/generating a coalition information for giving a correspondence/ a process for generating a coalition information for giving a correspondence between said call node of said first business definition, and said entrance node of said second business and for generating correspondence between said exit node of said second business definition, and said return node of said first business definition, (Col. 23, line 67-Col. 24, [where the generation of the coalition information occurs by the interpreter means executing a portion of the processing descriptor which is specified for a particular locus], Col. 16, lines 21-29, [where the return node corresponds to the entrance node of the first node of the first business definition which is represented by the business definition of the first plurality of loci]);

A passing control means for passing said data/passing said data from said call node of said first business definition, to said entrance node of said second business definition and for receiving said data at said return node of said first business definition, from said exit node of said second business definition, based upon said coalition information, so that said data is passed through a route including said first route and said second route/an interface information passing means for passing interface information relating to said call node and said return node of said first business

definition, (Col. 24, lines 60-66, , [represented by means for routing to a second plurality of the first plurality of loci]);

As per claims 17, 24, 29, Dev et al discloses:

A display device controlled by a computer/a step performed by a display device controlled by said computer/a process performed by a display device for displaying a business definition defining a route of passing data, said display device displaying said call node in a display mode different from display modes of other nodes, (Col. 11, lines 20-33, [displays a screen about task]).

As per claims 19, 20, Dev et al discloses:

Wherein each of said first business definition and said second business definition is stored in the respective storage means of different computers/an allocating means for allocating said first business definition and said second business definition to different computers, (Fig. 1, [where each computer is represented by the locus of control and the business definitions are utilized by the interpreter for processing the data by executing a portion of the processing descriptor. In this case, it is obvious that the descriptors [definitions] are stored at each locus of control since the descriptors must be processed there [see Col. 23, line 67-Col. 24, line 2]]).

As per claims 18, 25, 30, Dev et al discloses:

Wherein said call node and said return node are different nodes, (Col. 1, lines 19-21).

It would have been obvious to one of ordinary skill in the art for the call node and return node to be different nodes with the motivation of distinguishing the different

nodes apart from each other. In addition, in a distributed network environment it is common and traditional practice to have each node in separate locations.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.
July 22, 2004



ROMAIN JEANTY
PRIMARY EXAMINER